

## **REMARKS**

Claims 1-3, 5-8, and 10-12 are currently pending. The Examiner's reconsideration of the rejections is respectfully requested in view of the amendments and remarks.

Claim 13 has been objected to as being a duplicate of Claim 12. Claim 13 has been canceled. Reconsideration of the objection is respectfully requested.

Claims 1-2, 6-7, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Dyke et al. (US 2004/0153497) in view of Bremner-Barr et al. (US 2003/0076848). The Examiner stated essentially that the combined teachings of Van Dyke and Bremner-Barr teach or suggest all the limitations of Claims 1-2, 6-7, and 11.

Claims 1, 6, and 11 are independent.

Claims 1 and 6 claim, *inter alia*, "allocating SIP call control server processing resources to each queue according to a pre-defined policy associated with the message types, wherein the step of allocating SIP call control server processing resources comprises allocating a percentage of the SIP call control server processing resources to each of the queues; and leaking the messages from at least one of the queues for enforcing a message overload protection for the associated message type; and leaking the messages from at least one of the queues for enforcing a message overload protection for the associated message type." Claim 11 claims, "a plurality of queues associated to the message types, wherein the messages are placed in one of the plurality of queues according to a classification of the message and leaked from at least one of the queues for enforcing a message overload protection for the associated message type" and "a scheduler for allocating SIP call control server processing resources to each queue according to a pre-

defined policy associated with a corresponding message type, wherein the queues are allocated a percentage of the SIP call control server processing resources.”

Van Dyke teaches that an application processor (AP) is selected to handle a SIP message according to a requested service type (see paragraph [0025]). Van Dyke does not teach or suggest “leaking the messages from at least one of the queues for enforcing a message overload protection for the associated message type” as claimed in Claims 1 and 6, nor “a plurality of queues associated to the message types, wherein the messages are placed in one of the plurality of queues according to a classification of the message and leaked from at least one of the queues for enforcing a message overload protection for the associated message type” as claimed in Claim 11. Van Dyke teaches that an AP is selected to handle a SIP message according to a requested service type (see paragraph [0025]). Van Dyke is silent on the topic of message overload protection. Therefore, Van Dyke fails to teach or suggest all the limitations of Claims 1, 6, and 11.

Bremner-Barr teaches a leaky bucket mechanism as a rate-limiter (see for example, paragraph [0013]). Bremner-Barr does not teach or suggest, “leaking the messages from at least one of the queues for enforcing a message overload protection for the associated message type” as claimed in Claims 1 and 6, nor “a plurality of queues associated to the message types, wherein the messages are placed in one of the plurality of queues according to a classification of the message and leaked from at least one of the queues for enforcing a message overload protection for the associated message type” as claimed in Claim 11. Bremner-Barr implements a token-based leaky bucket to control traffic flow rates into a system; a token based system does not leak actual messages from a queues. Bremner-Barr does not teach or suggest a leaky-bucket whereby the data itself is leaked from a queue, essentially as claimed in Claims 1, 6, and 11. Paragraph [0117] of Bremner-Barr is instructive here; Bremner-Barr teaches that the rate-limiter controls the flow, preventing any flow from entering the WFQ system at too high rate. A system for

preventing data from entering will not include a method for leaking data; the data cannot be leaked if it has not entered the system. Thus, Bremner-Barr's rate control is not analogous to the claimed methods for leaking messages from a queue. Similar to Bremner-Barr, all data processed; data is not leaked, much less leaking a particular associated message type. Therefore, Bremner-Barr fails to cure the deficiencies of Van Dyke.

The combined teachings of Van Dyke and Bremner-Barr teach a token based rate controlled dispatcher for SIP messages. The combined teachings of Van Dyke and Bremner-Barr fail to teach or suggest a method including "leaking the messages from at least one of the queues for enforcing a message overload protection for the associated message type" as claimed in Claims 1 and 6, nor "a plurality of queues associated to the message types, wherein the messages are placed in one of the plurality of queues according to a classification of the message and leaked from at least one of the queues for enforcing a message overload protection for the associated message type" as claimed in Claim 11. Therefore, Claims 1, 6 and 11 are believed to be allowable.

Claims 2 and 5 depend from Claim 1. Claim 7 depend from Claim 6. The dependent claims are believed to be allowable for at least the reasons given for Claims 1 and 6. Reconsideration of the rejection is respectfully requested. Claims 1-2, 6-7, and 11

Claims 3 and 8 have been rejected under 35 USC 103(a) as being unpatentable over Van Dyke in view of Bremner-Barr, and further in view of Horvath et al. (US 2005/0102421). The Examiner stated essentially that the combined teachings of Van Dyke, Bremner-Barr, and Horvath teach or suggest all the limitations of Claims 3 and 8.

Claims 3 and 8 depend from Claims 1 and 6, respectively. The dependent claims are believed to be allowable for at least the reasons given for Claims 1 and 6. Reconsideration of the rejection is respectfully requested.

Claims 5 and 10 have been rejected under 35 USC 103(a) as being unpatentable over Van Dyke in view of Bremner-Barr, and further in view of D'Souza et al. (US Patent App. No. 2004/0236966). The Examiner stated essentially that the combined teachings of Van Dyke, Bremner-Barr, and D'Souza teach or suggest all the limitations of Claims 4, 5, 9 and 10.

Claims 5 and 10 depend from Claims 1 and 6, respectively. The dependent claims are believed to be allowable for at least the reasons given for Claims 1 and 6. Reconsideration of the rejection is respectfully requested.

Claims 12 and 13 have been rejected under 35 USC 103(a) as being unpatentable over Van Dyke in view of Bremner-Barr, and further in view of Zolnowsky et al. (US 5,826,081). The Examiner stated essentially that the combined teachings of Van Dyke, Bremner-Barr, and Zolnowsky teach or suggest all the limitations of Claims 12 and 13.

Claims 12 and 13 depend from Claims 1. The dependent claims are believed to be allowable for at least the reasons given for Claim 1. Reconsideration of the rejection is respectfully requested.

For the foregoing reasons, the application, including Claims 1-3, 5-8, and 10-12, is believed to be in condition for allowance. Early and favorable reconsideration of the objection is respectfully requested.

Respectfully submitted,

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